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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number

10/612,898

Filing Date

July 7, 2003

First Named Inventor

Richard Merrill

Art Unit

3727

Examiner Name

Lien M. Ngo

Attorney Docket Number

45446/043679

ENCLOSURES (Check all that apply)

- | | | |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Technology Center (TC) |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | Election of Invention and Restriction of Species |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | Remarks | |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Anthony D. Pellegrini
Signature	
Date	July 30, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Anthony D. Pellegrini		
Signature		Date	July 30, 2004

This collection of information is required by 37 CFR 1.9. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Richard Merrill)	Date: July 30, 2004
)	
Serial No. 10/612,898)	Group Art Unit: 3727
)	
Filed: 07/07/2003)	Examiner: Lien M. Ngo
)	
For: REMOVABLE SEALING DEVICE)	

RESPONSE TO FIRST OFFICE ACTION

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

In response to the Office Action from Lien M. Ngo dated July 6, 2004, Applicant elects to prosecute the invention claimed in claims 1 through 9 only, without traverse.

In further response to the July 6, 2004 Office Action, please amend the application identified above as follows: Cancel Claim 10.

In further response to the July 6, 2004 Office Action, Applicant elects for prosecution on the merits if no generic claim is finally held to be allowable, without traverse, the species of the invention minimally defined by Claims 1 and 5, and optionally by one or more of Claims 2, 3, 4, 6, and/or 9 in addition to Claims 1 and 5.

Remarks addressing the Detailed Action set forth in the July 6, 2004 Office Action begin on Page 2.